

REMARKS

Applicant has studied the Office Action dated November 30, 2007. Claims 1-3, 6, 7, 16-21, 23, and 32-34 are pending. Claims 1, 3, 6, 7, 17, 20, 21, 23, and 32 have been amended and claims 4 and 22 have been canceled without prejudice. Claims 1, 17, and 32 are independent claims.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Amendments to the Claims

Claims 1, 3, 6, 7, 17, 20, 21, 23, and 32 have been amended to more clearly disclose the invention. It is respectfully submitted that the amendments have support in the application as originally filed.

§ 103 Rejections

Claims 1-4, 6-10, 12, and 15-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi et al. ("Kishi" US Pat. 5,638,279) in view of N. V. PHILIPS (EP 0 542 331 A1). This rejection is respectfully traversed.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court recently stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.' If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned." (citations omitted.)

With this paper, claims 4, 8-10, 12, 15, 22, and 24-31 have been canceled without prejudice. It is, therefore, respectfully submitted that the rejection is moot with respect to claims 4, 8-10, 12, 15, 22, and 24-31 and it is respectfully requested that the rejection be withdrawn.

It is respectfully noted that independent claim 1 has been amended with this paper to recite the controller calculates a relative angle between the road approaching the intersection and the at least one road departing the intersection. Since this limitation was previously similarly recited in claim 4, which has been canceled without prejudice, the rejection of independent claim 1 will be addressed with respect to claim 4.

It is respectfully noted that the Examiner asserts, at paragraph 4.C. of the Office action, that Kishi teaches that the entrance is “headed up,” citing FIG. 4. However, it is respectfully noted that the Examiner is silent regarding the limitation the controller calculates a relative angle between the road approaching the intersection and the at least one road departing the intersection, as recited in independent claim 1, as amended.

It is respectfully noted that “[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art” and “[w]hen a reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value.” M.P.E.P. § 2125. It is further respectfully noted that FIG. 4 of Kishi merely discloses an example of enlarged display when the vehicle approaches an intersection where it should turn right or left (col. 3, lines 53-54). Therefore, it is respectfully submitted that FIG. 4 of Kishi is not sufficient to disclose the controller is adapted to calculate a relative angle between the road approaching the intersection and the at least one road departing the intersection. Moreover, Applicant’s review of Kishi reveals that nowhere does it disclose or suggest that the controller calculates a relative angle between the road approaching the intersection and the at least one road departing the intersection, as recited in amended independent claim 1.

It is respectfully noted that N. V. PHILIPS has been cited by the Examiner for suggesting “gradually filling the arrow with color and gradually removing color from the

arrow,” as recited in claim 1. However, it is respectfully submitted that N. V. PHILIPS fails to cure the deficiencies of Kishi with respect to the controller is adapted to calculate a relative angle between the road approaching the intersection and the at least one road departing the intersection, as recited in independent claim 1.

Therefore, it is respectfully asserted that independent claim 1 is allowable over the cited combination of references. It is further respectfully asserted that claims 2, 3, 6, 7, and 16, which depend from claim 1, also are allowable over the cited combination of references.

With regard to the rejections of claims 17-21, 23 and 32-34, it is respectfully noted that the Examiner did not discuss these rejections in the Office action dated November 30, 2007, thus failing to cite the specific disclosure in Kishi or N. V. PHILIPS which is required to reject claims 17-21, 23 and 32-34. In addition to the absence of the Examiner’s indication of specific disclosure in the cited references, as discussed above in connection with the rejection of independent claim 1, it is respectfully submitted that the cited combination of references fails to disclose or suggest the controller calculates a relative angle between the/a road approaching the intersection and at least one road departing the intersection, as recited in amended independent claims 17 and 32. Therefore, it is respectfully asserted that independent claims 17 and 32 and their respective dependent claims 18-21 and 23 and claims 33-34, respectively, are allowable over the cited combination of references.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-3, 6, 7, 16-21, 23, and 32-34 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

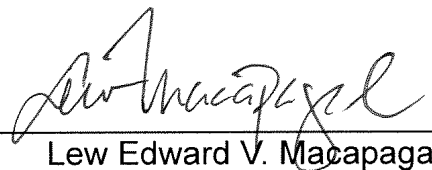
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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